



JACK MILLER
Director

County of San Diego

DEPARTMENT OF ENVIRONMENTAL HEALTH

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ELIZABETH POZZEBON
Assistant Director

December 17, 2010

Mr. Alan Bornt
Bornt Family Farms
2307 East Highway 98
Holtville, CA 92250

REPEATED NONCOMPLIANCE WITH EYE GNAT NUISANCE PREVENTION PLAN

Dear Mr. Bornt:

On September 28, 2010, I sent you a letter advising you of your noncompliance with the Eye Gnat Nuisance Prevention Plan (2010) (referred to herein as the Plan). I have attached that letter for your reference. Similar to the conditions described in the September 28th letter, you have again stopped maintaining eye gnat prevention measures at your farm in Jacumba.

My staff has been conducting weekly inspection of your farm. During inspections done on November 17, 2010, November 23, 2010, December 1, 2010 and on December 8, 2010; they made the following observations:

1. The trap crops either had not been treated with a pesticide on a weekly basis or you had no staff at the farm which prevented us from inspecting the pesticide application records.
2. From November 23rd through December 8th the trap crops appeared not to be watered or maintained and they now appear to have died.
3. The eye gnat traps used for trapping eye gnats on the farm were not being maintained with the bait mixture and some needed repair.

Fortunately for the residents of Jacumba, your failure to comply with the Plan coincides with cooler weather and a natural reduction in eye gnat breeding. The prevention measures included in the Plan have been successful in reducing eye gnats from 78.8 eye gnats per trap in 2009, to 1.3 in 2010. During warmer weather your actions would have created an increase in eye gnat populations.

There is one additional condition of the 2010 Plan that you have not complied with and it states:

Send the University of California Cooperative Extension the sum of \$10,000 to continue eye gnat research in Jacumba

The University has not received the money for eye gnat research.

We are working with Jim Bethke with the University of California Cooperative Extension to make modifications to a new Eye Gnat Nuisance Prevention Plan for 2011 that will address issues that arose this year that caused controversy and conflict through misinterpretations. One of the conditions of the new Plan will be to have the trap crops at full growth height before you plant your first crop. It is advisable that you maintain the trap crops during the winter so they will be healthy for the growing season.

We will send you the 2011 Plan in January and we will be glad to meet with you to discuss the Plan. If you have any questions or want to discuss your compliance further, contact me at (619) 338-2211.

Sincerely,



Jack Miller

Enclosure

cc: Ellen Pilsecker, Office of County Counsel, County of San Diego
 Amber Tarrac, District 2, Supervisor Dianne Jacob's Office,
 Rebecca Lafreniere, Chief, Community Health Division
 Jacumba Webpage